

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DION WAYNE HIPPLER,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of the Social Security
Administration,

Defendant.

Civ. No. 6:14-cv-00853-MC

OPINION AND ORDER

MCSHANE, Judge:

Plaintiff Dion Hippler brings this action for judicial review of a final decision of the Commissioner of Social Security denying his application for disability insurance benefits (DIB) under Titles II of the Social Security Act. This Court has jurisdiction under 42 U.S.C. §§ 405(g) and 1383(c)(3). The parties filed this stipulated motion to remand, ECF No. 27, seeking to reverse the Commissioner's decision and remand for further proceedings. Stipulated Mot. Remand 1–2, ECF No. 27. Based upon the parties' stipulation, this Court GRANTS the stipulated motion to remand, ECF No. 27. The Commissioner's final decision is REVERSED and this matter is REMANDED under sentence four¹ of 42 U.S.C. § 405(g) for further proceedings. It is hereby ordered, upon remand:


1. The administrative law judge (ALJ) shall consider new evidence submitted to the Appeals Council;

¹ Sentence four provides: "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g).

2. The ALJ shall evaluate plaintiff's mental impairments in accordance with the special technique, 20 C.F.R. § 404.1520(a);
3. The ALJ shall reevaluate all of the medical opinion evidence and explain the weight given to each opinion;
4. The ALJ shall reevaluate plaintiff's subjective complaints;
5. The ALJ shall reevaluate plaintiff's substance abuse in accordance with SSR 13-2p;
6. The ALJ shall reevaluate plaintiff's residual functional capacity; and
7. The ALJ shall make new findings under step five of the sequential evaluation, including obtaining supplemental vocational expert evidence.

IT IS SO ORDERED.

DATED this 16 day of July, 2015.



Michael J. McShane
United States District Judge